## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney's

of this Application: Exam'r: Ardin Marschel, Ph.D.

pated Classification Prior Application:

Class \_\_\_\_ Subclass \_\_\_ Group Art Unit: 1807

Docket No.: Enz-7 (P)(C3)

## FILED BY EXPRESS MAIL

Hon. Commissioner of Patents and Trademarks Washington, D.C. 20231 BOX FWC (if under §1.62)

Sir:

This is a request for filing a $\_$	X CONTINUATION DIVISIONAL	
CONTINUATION-IN-PAR	a request for filing a X CONTINUATION DIVISIONAL NTINUATION-IN-PART application under 37 CFR §1.60 37 CFR §1.62, of pending prior application Serial No. 07/967,646, October 28, 1992 of Jannis G. Stavrianopoulos, et al Inventor(s)	
X 37 CFR §1.62, of per	nding prior application Serial No. 07/967,646,	
filed on October 28, 1992 of	Jannis G. Stavrianopoulos, et al.	
	Inventor(s)	

for:

## COMPOSITION AND KIT EMPLOYING CHEMICALLY LABELLED POLYNUCLEOTIDE PROBES

		Title of invention	
1.		Enclosed is a copy of the prior application, as an affidavit or declaration verifying it as a true	
2.		A copy of the verified statement under 37 CFF §1.27 establishing small entity status in the preenclosed. Small entity status is still applicable	or application is
3.	X	The filing fee is calculated as follows:	

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT											
					RATE			FEE			
	Number Filed		Number Extra		Small Entity	Other Entity		Small Entity	Other Entity		
Total Claims	21	=	1	x	\$ 11	\$22	=	\$	\$ 22		
Independent Claims	2	=	0	х	\$ 38	\$76	=	\$	\$0		
Multiple Dependent Claims Presented:Yes _x _ No \$120					\$120	\$240		\$	\$0		
' If the difference in Col. 1 is less than zero, enter "0" in Col.2						BASIC FEE		\$ 365	\$730		
						TOTAL FEE		\$	\$752		

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EXPRESS MAIL CERTIFICATE "Express Mail" Label No. TB842440643 JUNE 7, 1995 Deposit Date thereby certify that this paper and the attachments herein are being deposited with the United States
Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and tradefracts Washington DC 20231.

TUNE 7, 1995

Reg. No. 32,567

June 7, 1995) 4. The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A duplicate copy of this sheet is enclosed. Any additional filing fees required under 37 CFR §1.16. Any patent application processing fees under 37 CFR §1.17. 5. \_X\_ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A duplicate copy of this sheet is enclosed. Any patent application processing fees under 37 CFR §1.17. The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b). Any filing fees under 37 CFR §1.16 for presentation of extra claims. 6. A check in the amount of \$\_\_\_\_\_ is enclosed. 7. Cancel claims 8. Amend the specification by inserting before the first line of the sentence: This is a X continuation, divisional, \_ continuation-in-part, of application Serial No. 07/967,646, filed on October 28, 1992,---9. Transfer the drawings from the prior application. 10. Informal \_\_\_\_\_ Formal \_\_\_\_ drawings are enclosed. 11. Abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. Priority of application Serial No. \_\_ 12. \_ is claimed under 35 U.S.C. §119. The certified copy of the priority application has been filed in prior application Serial No. \_\_\_\_\_ 13. The prior application is assigned of record to Enzo Diagnostics, Inc., c/o Enzo Biochem, Inc. 575 Fifth Avenue, New York, New York 10017.

A preliminary amendment is enclosed.

(Request for a Continuation Application Under 37 C.F.R. § 1.62 -

Stavrianopoulos et al.

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14.

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15. \_\_\_\_X \_\_\_ The power of attorney in the prior application is to:

Ronald C. Fedus, Reg. No. 32,567.

(a) \_\_\_x \_\_\_ The power appears in the original papers in the application.

(a) x The power appears in the original papers in the prior Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed. A copy of a new substitute power of attorney is enclosed. Address all future communications to: (May only be completed by applicant, or attorney or agent of record.) Ronald C. Fedus, Esq. Enzo Diagnostics, Inc. c/o Enzo Biochem, Inc. 575 Fifth Avenue (18th Floor) New York, New York 10017 16. Also accompanying this Request 17. I hereby verify that the attached papers are a true copy of prior application Serial No. 07/960,071, filed on October 13, 1992. 18. An Office Action was mailed on January 5, 1995 in connection X with the parent application (Serial No. 07/967,646). A Request For An Extension of Time (3 months) with authorization for the requested extension fee is being correctly filed herewith.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

the filing of this new continuation application.

Accordingly the parent is presently pending and copending with

Stavrianopoulos et al.

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Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

June 7, 1995 Date

Signature [Ronald C. Fedus] Registration No. 32, 567

Attorney for Applicants

\_ Inventor(s)

Assignee of Complete Interest

X Attorney or Agent of Record

\_\_\_\_ Filed under 37 CFR §1.34(a)

Address of Signator:

<u>Enzo Diagnostics, Inc.</u>
<u>c/o Enzo Biochem, Inc.</u>

<u>575 Fifth Avenue (18th Floor)</u>

<u>New York, New York 10017</u>